

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DENISE NIRSCHL,

Defendant.

CASE NO. CR 01-372 Z

PROPOSED FINDINGS OF  
FACT AND DETERMINATION  
AS TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on August 10, 2005. The United States was represented by Jeffrey Coopersmith. The defendant was represented by Suzanne Elliott. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

Defendant had been convicted of Bank Fraud on or about February 22, 2002. The Hon. Thomas S. Zilly of this court sentenced Defendant to 15 days of confinement, followed by 5 years of supervised release.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

DEFENDANT'S ADMISSION

USPO Felix Calvillo alleged that Defendant violated the conditions of supervised release in two respects:

- (1) Failing to follow the instructions of the probation officer by not reporting the first Wednesday of every month in December 2004, and January, February, April 2005, in violation of standard condition No. 3; and
- (2) Failing to make \$100.00 restitution payment on June 1, 2005, in violation of the general condition of supervision and special condition No. 5.

At an initial hearing, I advised the defendant of these charges and of her constitutional rights. At today's hearing Defendant admitted the violations #1 and 2, waived any hearing as to whether they occurred, and consented to having the matter set for a disposition hearing before the Hon. Thomas S. Zilly.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that Defendant has violated the conditions of her supervised release as alleged; and set the matter for a disposition hearing.

Defendant has been released pending a final determination by the court.

DATED this 11<sup>th</sup> day of August, 2005.



Monica J. Benton  
United States Magistrate Judge

cc: Sentencing Judge	:	Hon. Thomas S. Zilly
Assistant U.S. Attorney	:	Jeffrey Coopersmith
Defense Attorney	:	Suzanne Elliott
U. S. Probation Officer	:	Felix Calvillo